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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,067	07/11/2003	Steven J. Hogan	FRONTR.0026P	5881

7590 04/21/2006
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EXAMINER

TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/619,067

Applicant(s)

HOGAN ET AL.

Examiner

Quoc D. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 37-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 37-50 is/are rejected.
- 7) ☒ Claim(s) 38-50 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Claim Objections

1. Claims 38-50 are objected to because of the following informalities: improper dependency. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 37-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over An et al (4,726,056) in view of Kamil (4,706,275).

Consider claim 37, An et al teach a method for processing a calling card call (col. 6 lines 56-60) from a caller to determine the rate associated with the call, comprising receiving a called number (col. 6 lines 43-46); receiving a caller identifier (col. 6 lines 46-56); generating at an operator module, a request for a rate quote (see abstract; col. 3, line 60 – col. 4 line 9); sending the request for the rate quote to a rating system (rating system 10), wherein the rate quote module performing a database look-up based on the called number and the caller identifier (col. 2 lines 3-60; Fig. 4; col. 7 line 37 – col. 14 lines 5); generates a rate quote; and sends the rate quote to the operator module (see abstract; Fig. 2-7; col. 5 line 67 – col. 6 line 14).

An et al did not clearly suggest of validating the calling card prior to requesting a rate quote. However, Kamil suggested such (col. 3 lines 32-51).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Kamil into view of An et al in order to assure that the calling card is valid prior to provide any services.

Consider claim 38, An et al further teach the database look-up is also based on time and date information (col. 13 lines 37-50; col. 14 lines 6-20).

Consider claim 39, An et al further teach the request for the rate quote comprises a request to assign a rate to the call (see abstract; Fig. 2-7; col. 5 line 67 – col. 6 line 14).

Consider claim 40, An et al further teach the caller identifier comprises rate information assigned to a caller's network access number (col. 6 lines 40-63).

Consider claim 41, An et al further teach, for non-postalized rates, the rating system computes the distance using vertical or horizontal coordinates of an originating location and a location of the called number (col. 11 lines 12-17; col. 11 line 47 – col. 12 line 11).

Consider claim 42, An et al further teach the rate system assigns a single rate to all calls and the rate is cost per time unit (col. 13 lines 25-36).

Consider claim 43, An et al further teach the rate comprises a cost per call (see abstract; col. 4 lines 10-28).

Consider claim 44, Kamil teaches wherein when an operator module receives a validation request, the operator module sends the validation request to a validation system (col. 5 lines 32-40).

Consider claim 45, Kamil teaches wherein the validation system checks a calling card number of the calling card against one or more validation databases to determine whether the calling card number is valid (col. 5 lines 32-40).

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Consider claim 46, Kamil teaches wherein the validation system comprises a validator and an external validation gateway (col. 5 lines 32-40).

Consider claim 47, Kamil teaches wherein the one or more validation databases comprise a p-code database, a hot/cold database, a validation index database and a validation block database (col. 5 lines 29-61).

Consider claim 48, Kamil teaches the method further comprising determining an optimum routing for the call after validation of the calling card (col. 3 lines 35-37).

Consider claim 49, Kamil teaches the method further comprising looking-up the optimum routing for the call in a database (col. 3 lines 35-37).

Consider claim 50, Kamil teaches the method further comprising accessing a feature access code of the calling card so that another call may be placed after call completion without having to re-enter calling card billing information (col. 6 lines 9-21).

Response to Arguments

4. Applicant's arguments with respect to claims 37-50 have been considered but are moot in view of the new ground(s) of rejection.

Important Notice

5. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to ***Group Art Unit 2614***.

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Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QUOCTRAN
PRIMARY EXAMINER


AU 2614

April 12, 2006